

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF NEW YORK

In Re:

JOSEPH A. MARCANTONIO,

Debtor,

JOSEPH A. MARCANTONIO,

Plaintiff,

-against-

JPMORGAN CHASE BANK, N.A. and AMERICAN  
EDUCATION SERVICES,

Case No. 08-10157

**COMPLAINT**

Adv. Pro. No.

\_\_\_\_\_  
Defendants.

**COMPLAINT**

**Joseph A. Marcantonio**, plaintiff and debtor, by and through his attorney Stephen T. Rodriguez of Rodriguez & Doern, PLLC, undersigned counsel for his complaint against the defendants, alleges the following upon information and belief:

1. The plaintiff/debtor Joseph A. Marcantonio is the debtor in the above-referenced Chapter 13 bankruptcy petition, and resides in the County of Schenectady, State of New York.
2. Each of the defendants, as either lender, guarantor, or servicer, claims an interest in student loans allegedly owed to them by the plaintiff/debtor, Joseph A. Marcantonio.
3. The plaintiff/debtor Joseph A. Marcantonio, is the alleged co-signor of loans under borrower Heather M. Hopkins.
4. This action is a core proceeding under 26 U.S.C. Sec. 1334 and this court has jurisdiction of this action.
5. The purported signature of Joseph A. Marcantonio on the loan documents is a forgery.

6. Joseph A. Marcantonio did not sign any of the loan documents, did not participate in any of the loans, and is not legally responsible for repaying any of the student loan debt.

**WHEREFORE**, the plaintiff/debtor Joseph A. Marcantonio requests judgment that the student loans not be exempted from discharge, plus such other relief as the Court deems just and proper.

Date:

7-7-08



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